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*Attorneys for Plaintiff*  
*V5 Technologies, LLC, d/b/a Cobalt Data Centers*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

V5 TECHNOLOGIES, LLC, d/b/a COBALT  
DATA CENTERS,

Plaintiff,

v.

SWITCH, LTD., et al.,

Defendants.

Case No. 2:17-cv-02349-KJD-VCF

**JOINT STIPULATION  
REGARDING AUTHENTICITY  
AND ADMISSIBILITY OF  
DOCUMENTS**

1 IT IS HEREBY STIPULATED AND AGREED, by and between plaintiff V5  
 2 Technologies, LLC, d/b/a Cobalt Data Centers (“Cobalt”) and defendant Switch, Ltd. (“Switch”)  
 3 (each a “party,” and collectively, the “parties”), through their undersigned counsel, for the  
 4 purposes of this action only, and subject to the approval of the Court, as follows:

5 **Authenticity.** Documents produced to a party to this action by another party in response  
 6 to a document request served upon a party pursuant to Fed. R. Civ. P. 34, or as part of initial  
 7 disclosures pursuant to Fed. R. Civ. P. 26, shall be deemed authentic for purposes of Fed. R. Evid.  
 8 901 – that is, true copies of what they facially purport to be – absent good cause. Good cause  
 9 would include, for example and without limitation, issues relating to the completeness of the  
 10 document (e.g., missing or incomplete pages) or any conditions in the actual document or the  
 11 manner in which it was produced that brings into question whether the document was actually  
 12 generated by the relevant party or third-party.

13 Defendant however specifically reserves the right to challenge Cobalt\_00000143-148,  
 14 Cobalt\_00000149-153, Cobalt\_00000154-158, and Cobalt\_00000159-163 as Authentic.

15 **Best Evidence Rule.** No party shall object, at trial or otherwise, to the admissibility of  
 16 any document produced to a party to this action by another party in response to a document  
 17 request served upon a party pursuant to Fed. R. Civ. P. 34, or as part of initial disclosures  
 18 pursuant to Fed. R. Civ. P. 26, under Fed. R. Evid. 1002 on the grounds that the document is not  
 19 an original writing, recording, or photograph – absent good cause.

20 Defendant however specifically reserves the right to challenge Cobalt\_00000143-148,  
 21 Cobalt\_00000149-153, Cobalt\_00000154-158, and Cobalt\_00000159-163 under the Best  
 22 Evidence Rule.

23 This stipulation does not address and cannot be used to establish elements of admissibility  
 24 other than the element of authenticity and satisfaction of the Best Evidence Rule.

25 //

26 //

27 //

28 //

1 Respectfully Submitted,

2  
3 /s/ Rory Reid

October 20, 2021

4 Rory Reid

Date

5 *Attorneys for Plaintiff V5 TECHNOLOGIES,  
6 LLC, d/b/a COBALT DATA CENTERS*

7 Jacob Reynolds

October 20, 2021

8 Jacob Reynolds

Date

9 *Attorneys for Defendant SWITCH, LTD.*

10  
11 IT IS SO ORDERED.

12 DATED: Oct. 21, 2021

13 

14 HON. KENT J. DAWSON

15 UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I hereby certify that I am employed in Las Vegas, Nevada. I am over the age of 18 and not a party to the within action. My business address is:

REID RUBINSTEIN & BOGATZ  
Bank of America Plaza  
300 South 4th Street, Suite 830  
Las Vegas, NV 89101

On October 20, 2021, I caused the foregoing document(s) to be filed via the Court's CM/ECF system, which will accomplish service on all parties of record through their counsel.

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on October 20, 2021, at Las Vegas, Nevada.

By: /s/ Rory Reid  
Rory Reid